

4875. Adulteration and misbranding of brandy. U. S. * * * v. 1 Cask of Brandy. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 6740. I. S. No. 17871-k. S. No. W-55.)

On July 17, 1915, the United States attorney for the District of Utah, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1 cask of brandy, remaining unsold in the original unbroken package at Salt Lake City, Utah, alleging that the article had been shipped by the Edward Block Distilling & Distributing Co., Kansas City, Mo., and transported from the State of Missouri into the State of Utah, and charging adulteration and misbranding in violation of the Food and Drugs Act. The cask was labeled, on one end, "Cognac Brandy Type," the words "Cognac Brandy" being printed in characters 3 inches high and the word "Type" being printed in letters $\frac{1}{2}$ inch high.

Adulteration of the article was alleged in the libel for the reason that neutral spirits had been mixed and packed with, and substituted for, cognac brandy type, and had been mixed and packed with said brandy so as to reduce and lower and injuriously affect its quality.

Misbranding was alleged for the reason that the cask was labeled so as to deceive and mislead the purchaser in that the label designated the contents thereof "Cognac Brandy Type," whereas, in truth, the cask contained an article to which neutral spirits had been added.

On December 14, 1915, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*